

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Plaintiff,

05-CV-6194T

County #:05-157

-vs-

Dale E. Birdsall, Gloria J. Birdsall, et al.

Defendants.

**ORDER FOR CANCELLATION OF NOTICE OF PENDENCY
AND TO VACATE JUDGMENT OF FORECLOSURE & SALE**

Upon reading the Stipulation for Voluntary Dismissal for an Order Cancelling Notice of Pendency and to Vacate Judgment of Foreclosure and Sale of Gerald N. Murphy, Attorney for the Plaintiff, and upon all the pleadings and proceedings had herein, all of which it appears to the satisfaction of the Court that the plaintiff is in all respects entitled to the relief herein granted, it is

ORDERED ADJUDGED AND DECREED, that the Notice of Pendency filed in this action in the U.S. Federal District Court on 4/27/2005, and filed in the office of the clerk of the County of Yates on 5/2/2005, be cancelled and discharged of record; and

THAT the Judgment entered in the U.S. Federal District Court on 7/14/2005, be vacated.

SO ORDERED

Dated: October 6, 2005

S/ MICHAEL A. TELESKA
Honorable Michael A. Telesca
United States District Judge